

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MARKUS IRVING,

Plaintiff,

Case No. 18-cv-11617

v.

UNITED STATES DISTRICT COURT  
JUDGE

ANTHONY PALMER,

GERSHWIN A. DRAIN

Defendant.

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**ORDER DIRECTING PLAINTIFF TO SERVE DEFENDANT WITH THE  
SUMMONS AND COMPLAINT, THE ORDER GRANTING TEMPORARY  
RESTRAINING ORDER [#4], AND THE INSTANT ORDER [#6]**

Presently before the Court is Plaintiff Markus Irving's complaint against Anthony Palmer alleging defamation and other claims. Plaintiff filed his complaint on May 22, 2018. Dkt. No. 1. On May 24, 2018, Plaintiff filed an Ex Parte Motion for Temporary Restraining Order and Preliminary Injunction to prohibit Defendant from circulating any allegedly defamatory information about him. Dkt. No. 3. On May 29, 2018, this Court granted Plaintiff's Motion for Temporary Restraining Order. Dkt. No. 4. This Court set a hearing date for the Motion for Preliminary Injunction for June 12, 2018 at 2:00 pm. *Id.* at pg. 3 (Pg. ID 135). The temporary restraining order also expires on this date. *See* Fed. R. Civ. P. 65(b)(2) (stating that a temporary restraining order lasts no more than 14 days).

Federal Rule of Civil Procedure 65(b)(2) allows a court to extend the 14-day period for a temporary restraining order for a like period if “good cause” exists to do so. In the present action, Plaintiff has not yet served Defendant with the summons and complaint. Plaintiff has likewise not served Defendant with a copy of this Court’s May 29, 2018 Order granting the temporary restraining order. Therefore, Defendant has not been given notice of the proceedings pending against him.

Accordingly, this Court will adjourn the motion hearing for the preliminary injunction until **June 26, 2018 at 2:00 pm**. This Court hereby orders Plaintiff to personally serve Defendant with the summons, complaint, May 29, 2018 Order, and the Instant Order in accordance with the Federal Rules of Civil Procedure. If Plaintiff does not wish to serve Defendant personally, Plaintiff must file a motion with this Court requesting service by the United States Marshals service. Plaintiff must personally serve Defendant within one week of the issuance of this Order.

SO ORDERED.

Dated: June 11, 2018

s/Gershwin A. Drain  
HON. GERSHWIN A. DRAIN  
United States District Court Judge